

11.

(7) Upon retirement for accidental disability a member [shall receive a service retirement allowance if he has attained the age of 60; otherwise he] shall receive an accidental disability retirement allowance which shall consist of:

(a) An annuity which shall be the actuarial equivalent of his accumulated contributions at the time of his retirement; and

(b) A pension of sixty-six and two-thirds per centum of his average final compensation but in no event shall his total accidental disability retirement allowance exceed his average final compensation.

SEC. 2 1. *And be it further enacted* BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new subsections be and are hereby added to Article 77 of the said Code ANNOTATED CODE OF MARYLAND (1965 REPLACEMENT VOLUME), title "Public Education," subtitle "Chapter 8. Teachers' Certificates, Salaries and Pensions," subheading "Teachers' Retirement System," said new subsections to follow immediately after subsection 113 (4), and to be known as subsection 113 (4A) and 113 (4B), and to read as follows:

113.

(4A) *Accidental Disability Retirement Benefit—Upon the application of a member in service, or of his state or county superintendent of schools, any member who has been totally and permanently incapacitated for duty as the natural and proximate result of an accident occurring while in the actual performance of duty at some definite time and place, without willful negligence on his part, shall be retired by the Board of Trustees, provided that the Medical Board shall certify that such member is mentally or physically incapacitated for the further performance of duty, that such incapacity is likely to be permanent, and that such member should be retired. No beneficiary entitled to an accidental disability retirement allowance shall receive any allowance on account of ordinary disability.*

(4B) *Allowance on Accidental Disability Retirement—Upon retirement for accidental disability a member shall receive A SERVICE RETIREMENT ALLOWANCE IF HE HAS ATTAINED THE AGE OF 60; OTHERWISE HE SHALL RECEIVE an accidental disability retirement allowance which shall consist of:*

(a) *An annuity which shall be the actuarial equivalent of his accumulated contributions at the time of his retirement; and*

(b) *A pension of sixty-six and two-thirds per centum of his average final compensation, but in no event shall his total accidental disability retirement allowance exceed his average final compensation.*

SEC. 3 2. *And be it further enacted*, That this Act shall take effect July 1, 1966.

Approved May 6, 1966.